



STATE OF DELAWARE
STATE COUNCIL FOR PERSONS WITH DISABILITIES

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The Honorable John Carney
Governor

John McNeal
SCPD Director

MEMORANDUM

DATE: March 20, 2017

TO: Ms. Renee Purzycki, DLTCRP
Planning & Policy Development Unit

FROM: Ms. Jamie Wolfe, Chairperson
State Council for Persons with Disabilities

RE: 20 DE Reg. 693 [DLTCRP Proposed CNA Regulation (3/1/17)]

The State Council for Persons with Disabilities (SCPD) has reviewed the Department of Health and Social Services/Division of Long Term Care Residents Protection (DLTCRP's) proposed regulation. DLTCRP proposes a full revision of the existing regulation covering certified nursing assistants. The proposed regulation was published as 20 DE Reg. 693 in the March 1, 2017 issue of the Register of Regulations.

In general, the standards appear to be relatively clear and comprehensive. I have the following observations on some discrete sections.

First, there are a few typographical errors:

- A. In §2.3.10, there appears to be an extraneous comma after the term "CNA".
- B. In Appendix A, Psychosocial Needs Module, Competencies Section, 6th bullet, there is a reference to "self?care".
- C. In Appendix A, Physical Needs Module, Competencies Section, 15th bullet from the end, there is a reference to "self?help".

Second, the qualifications of trainers may benefit from enhancement. An RN with only 2 years of overall experience and 1 year of clinical experience (§3.2.1) and supplemental personnel (e.g. occupational, physical or speech therapist) with only 1 year of experience (§3.6.1) are authorized to serve as CNA training program instructors. These are relatively weak credentials to teach a

wide array of skills to CNA trainees. While a nurse with 1 year of clinical experience in an NSF may have been exposed to many types of needs, a nurse with more years of experience would generally have greater exposure to a variety of patients and treatment modalities.

Third, §3.10 lists minimum equipment to be available for training. It would benefit from some additions.

A. Appendix A, Psychosocial Skills Module, Competencies Section, includes the following skill: “Recognize and utilize augmentative communication devices and methods of nonverbal communication.” Likewise, Appendix A, Physical Needs Module, Competencies Section, includes the following skill: “Demonstrate use of assistive devices”. It would therefore make sense to include a typical AAC device in the list of minimum equipment in §3.10.

B. Appendix A, Physical Needs Module, Competencies Section, includes the following recital “Assist the resident/patient with ambulation aids, including, but not limited to cane, quad-cane, walker, crutches, wheelchair and transfer aids, such as a mechanical lift.” These forms of AT are included in §3.10 with the exception of the mechanical lift. DMMA may wish to consider adding a mechanical lift to the list of minimum equipment.

C. Appendix A, Physical Needs Module, Competencies Section, includes the following recitals: “Assist the resident/patient with oral hygiene, including prosthetic devices” and “Administer oral hygiene for the unconscious resident/patient”. In contrast, §3.10 omits all oral hygiene devices, including water flossers, electric toothbrushes, and ultrasonic denture cleaners.

D. Appendix A, Physical Needs Module, Competencies Section, includes the following recital: “Accurately measure and record with a variety of commonly used devices: blood pressure, height and weight, and temperature, pulse, respiration. Section 3.10 would benefit from the addition of a pulse oximeter.

Thank you for your consideration and please contact SCPD if you have any questions or comments regarding observations on the proposed regulation.

cc: Ms. Mary E. Peterson, DLTCRP
Ms. Beth Mineo, Center for Disabilities Studies
Governor’s Advisory Council for Exceptional Citizens
Developmental Disabilities Council

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